

REMARKS

INTRODUCTION:

In accordance with the foregoing, the claims 1 and 11 have been cancelled, claim 2 has been amended and new claim 12 has been added. Claims 2-10 and 12 are pending in the application. Claims 1 and 11 were previously rejected in view of the prior art. Claims 2-10 were previously indicated as containing allowable subject matter.

ALLOWABLE SUBJECT MATTER:

In the Office Action at page 2, numbered paragraph 2, claims 2-10 while objected to as being dependent upon a rejected base claim, would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims. The Examiner's primary reason for allowance is set forth in that paragraph with respect to claim 2 regarding the feature of "a second coil member wound around the second yoke to adjust the magnetic flux between the movable holder and the second pole piece" in combination with the remaining structure for the optical switch.

Pursuant to this response, the subject matter of base independent claim 1 has now been incorporated into claim 2, and therefore, claim 2 is now presented as an independent claim 2 with allowable subject matter contained therein for a Notice of Allowance. Since claims 3-10 depend directly or indirectly upon the newly amended independent claim 2, claims 3-10 should now also be in condition for allowance at this time. Finally, Applicants have provided a new independent claim 12 which is substantially the same as the content of previous independent claim 11 with the feature of claim 2. It is submitted that independent claim 12 is also allowable because it contains the allowable subject matter of claim 2 related to, for example, "a second coil member wound around the first yoke to adjust the magnetic flux between the movable member and the second pole piece." Accordingly, independent claim 12 should now be in condition for allowance for at least the same reasons as newly amended independent claim 2.

Since the remaining claims 1 and 11 have been cancelled without prejudice in this application, the remaining claims 2-10 and 12 for consideration are now believed in condition for allowance.

DRAWING CHANGES:

In the Office Action at page 2, numbered paragraph 1, the Examiner requested labeling of FIG. 6 as prior art. In response, Applicants have provided a marked up copy of the sheet for FIG. 6 and a Replacement corrected formal drawing for FIG. 6 for approval by the Examiner at this time. Therefore, the objection to the drawing FIG. 6 should now be rendered moot.

CONCLUSIONS:

Previously rejected claims 1 and 11 have been cancelled without prejudice. Pending claims 2-10 and 12 contain previously indicated allowable subject matter and should be in condition for allowance.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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FIG. 6

PRIOR ART

